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E-Filing

Hon. Maxine M. Chesney  
United States District Judge  
450 Golden Gate Ave.  
San Francisco, CA 94102

Re: Philip Morris v. Sheraga Raz, No. 3:06-CV-0701 MMC

Dear Judge Chesney,

This case is coming before you for a case management conference on October 6, 2006, at 10:30 a.m.

You may remember that a further case management conference date was selected in the event that a final settlement could not be consummated. Unfortunately, although we have reached an agreement in principal, we have not been able to agree on some of the details. In addition, I am pessimistic that we will be able to reach an agreement without the aid of a Magistrate Judge settlement conference.

The purpose of this letter is to inform you that I have a settlement conference scheduled in the case of Brown v. United Group, Alameda County No. RG04-180025, on the same date, beginning at 9:00 a.m., in Department 3, in Oakland. As a result, I don't believe that I will be able to make a personal appearance in this case on that date.

I am certain that the settlement judge will authorize me to call my appearance in, if that will work for you.

Yours truly,



Hugo Torbet

cc. Nate Spencer Mork

*Good cause appearing, counsel for both parties shall appear at the case management conference by telephone.*

*MAXINE M. CHESNEY*  
*UNITED STATES DISTRICT JUDGE*  
DATE SEP 28 2006